

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
01/12/2001

01/10/2001

CLERK OF THE COURT  
FORM R571B

HON. JONATHAN H. SCHWARTZ

Y. Cheney  
Deputy

CR 2000-002646

FILED: \_\_\_\_\_

STATE OF ARIZONA

NOEL J R LEVY

v.

ROBERT WILLIAM MCMAHAN (A)  
DOB: 7/15/71

JERRY M HERNANDEZ

APO-SENTENCE IMPRISONMENT-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CCC  
VICTIM WITNESS DIV-CA-CCC

SENTENCE OF IMPRISONMENT - NO MONETARY ORDERS ENTERED

9:50 a.m. State is represented by above-named counsel.  
Defendant is present in custody and represented by Tonya McMath  
who appears for Jerry Hernandez.

Court Reporter, Leslie Hicks, is present.

The Defendant is advised of the charge, the determination of  
guilt and is given the opportunity to speak.

THE COURT FINDS that the Victim Acts Right has been complied  
with.

Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

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Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the following crime(s) as set forth on the following page(s), that upon due consideration of all the facts, law and circumstances relevant herein, the Court finds that suspension of sentence and a term of probation are not appropriate and that a sentence of imprisonment with the Department of Corrections is appropriate.

THE COURT FURTHER FINDS that there are circumstances sufficiently substantial to call for the term as indicated. These circumstances are stated by the Court on the record.

AS PUNISHMENT, IT IS ORDERED that the Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

OFFENSE: Count 1: Armed Robbery

FELONY CLASS: 2 felony

DANGEROUS

NONREPETITIVE

IN VIOLATION OF A.R.S. SECTIONS 13-1901, 1904, 1902, 301, 302, 303, 304, 701, 702, and 801

DATE OF OFFENSE: 2/1/00

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SENTENCE: 16 years

AGGRAVATED

This sentence is to date from 1/10/01.

The Defendant is to be given credit for 344 days served prior to sentencing.

This sentence is to be concurrent with CR2000-12188 and CR98-08477.

IT IS FURTHER ORDERED that the Defendant shall serve one day for every seven days of the sentence imposed under the supervision of the Community Supervision Program, to be served consecutively to the actual period of imprisonment (2 years and 3 months).

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

IT IS ORDERED granting the Motion to Dismiss Count 2.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the custody of the Arizona Department of Corrections and authorizing the Department of Corrections to carry out the term of imprisonment set forth herein.

ISSUED: Order of Confinement.

IT IS FURTHER ORDERED that the Clerk of the Superior Court remit to the Department of Corrections a copy of this order together with all presentence reports, probation violation reports, medical and psychological reports which are not sealed relating to the Defendant and involving this cause.

FILED: Notice of Rights of Review After Conviction

cc: DOC - Certified Copy via Certification Desk

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cc: MCSO-DIS - Certified Copy via Certification Desk

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Let the record reflect that the Defendant's thumbprint is permanently affixed to this sentencing order in open court.

10:00 a.m. Matter concludes.

/s/ HON. JONATHAN H. SCHWARTZ  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)